

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
) Subcategory No. 03-10643

THIS DOCUMENT RELATES TO:

The City of New York, et. al.

v.

Abbott Laboratories, Inc., et al.

)
) Judge Patti B. Saris
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NOTICE OF RENEWED MOTION FOR RECONSIDERATION

PLEASE TAKE NOTICE that pursuant to the Court's Procedural Order of August 27, 2008, and after conferring with defense counsel, plaintiffs hereby file their Renewed Motion for Reconsideration of those aspects of the Court's July 30, 2008 orders that dismissed plaintiffs' claims for dual-channel drugs (sometimes known as Physician Administered Drugs or "PADs") after June 1994. The relevant orders are Docket No. 5471 (Bayer); Docket No. 5472 (Roche); Docket No. 5475 (Amgen); and Docket No. 5477 (MedImmune).

A proposed form of Order is annexed hereto.

Dated: January 9, 2009

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 9th day of January, 2009 she caused a true and correct copy of this NOTICE OF RENEWED MOTION FOR RECONSIDERATION to be delivered to counsel of record for defendants by electronic service by posting it to Lexis Nexis File and Serve's Electronic Service System pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

/s/ Kathryn Bale Allen
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[PROPOSED] ORDER

IT IS HEREBY ORDERED THAT the City of New York and Captioned New York
Counties' renewed motion for reconsideration is granted.

Dated: January ___, 2009

Hon. Patti B. Saris
United States District Court Judge